

performing application layer gateway functionality at the target device by the agent.

REMARKS

Claims 1-9 and 10-22 are pending in the application. Claim 10 has been canceled. Claims 1-9 and 10-22 stand rejected. Favorable reconsideration is respectfully requested in light of the following remarks.

Claims 1, 4-5, 7, 9, 13, 15, 17, 21 and 22 were rejected under 35 USC 103(a) as being unpatentable over Huff et al. (Huff) (US 6408391) in view of Li et al. (Li) (US 6119165). To establish a prima facie case of obviousness under § 103, all claim limitations of a claimed invention must be taught or suggested by the prior art. See MPEP, § 2143.03 and *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In view of the foregoing authority, the Applicant respectfully submits that the cited references fail to support the asserted rejection.

Independent claim 1 as amended above relates to a method for providing functionality on a network, the network comprising nodes. The method comprises moving an agent from a first device to a target device, re-routing relevant traffic to the target device, and performing application layer gateway functionality by the agent at the target device.

Independent claim 9 as amended above relates to a network comprising a plurality of nodes, and a plurality of links connecting the nodes. The network further comprises a mobile agent residing on a node of the network, where the mobile agent is able to function as an application layer gateway, and a route device residing on one node of the network, the route device configured to divert, to the mobile agent, traffic relevant to the mobile agent.

Independent claims 17 and 21 as amended above include substantially the same recitations as claim 1.

Consequently, the asserted rejection cannot be sustained for at least the reason that the cited references do not teach or suggest re-rerouting relevant traffic to a target device as required by claims 1, 17 and 21, nor a route device

configured to divert, to a mobile agent, traffic relevant to the mobile agent, as required by claim 9. Dependent claims 4-5, 7, 13, 15 and 22 are therefore also allowable over the cited references for at least the same reason. Accordingly, withdrawal of the rejection of claims 1, 4-5, 7, 9, 13, 15, 17, 21 and 22 as unpatentable over Huff and Li is respectfully requested.

Claims 2, 11 and 18 were rejected under 35 USC 103(a) as being unpatentable over Huff and Li, and further in view of Bhide et al. (US 5852717). Claims 3, 12 and 19 were rejected under 35 USC 103(a) as being unpatentable over Huff and Li, and further in view of Jones (US 5832221). Claim 6, 8 and 14 were rejected under 35 USC 103(a) as being unpatentable over Huff and Li, and further in view of Turek et al. (US 6460070). Claim 10 was rejected under 35 USC 103(a) as being unpatentable over Huff and Li, and further in view of Chin et al. (US 6456306). Finally, claim 16 was rejected under 35 USC 103(a) as being unpatentable over Huff and Li, and further in view of Chin et al. and Turek et al.

Claim 10 has been canceled, removing it from further consideration. Claims 2, 3, 6, 8, 11, 12, 14, 16 and 19 are dependent claims, and consequently each incorporates the features of one of independent claims 1, 9, 17 and 21. As discussed above, the combination of Huff and Li fails to teach or suggest the features recited in the independent claims. Moreover, Bhide et al., Jones, Turek et al. and Chin et al. clearly do not remedy the deficiencies in Huff and Li with respect to the independent claims. In particular, none of Bhide et al., Jones, Turek et al. and Chin et al. teaches or suggests re-rerouting relevant traffic to a target device as required by claims 1, 17 and 21, nor a route device configured to divert, to a mobile agent, traffic relevant to the mobile agent, as required by claim 9. Accordingly, withdrawal of the rejection of claims 2, 3, 6, 8, 11, 12, 14, 16 and 19 under 35 USC 103(a) is respectfully requested.

In light of the above discussion, the Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

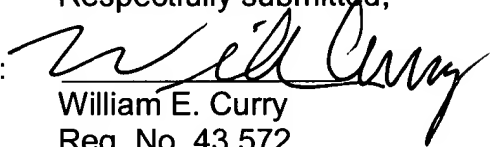
The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees under 37 C.F.R. 1.16 or 1.17 related to this communication to Deposit Account No. 11-0600.

Dated:

Jan. 7, 2003

Respectfully submitted,

By:


William E. Curry
Reg. No. 43,572

KENYON & KENYON
1500 K Street N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201

VERSION OF AMENDMENTS MARKED UP TO SHOW CHANGES

In the claims:

1. (Amended) A method for providing functionality on a network, the network comprising nodes, the method comprising:

moving an agent [moving] from a first device to a target device; [and]

re-routing relevant traffic to the target device; and

[at the target device, the agent] performing application layer gateway functionality by the agent at the target device.

9. (Amended) A network comprising:

a plurality of nodes;

a plurality of links connecting the nodes; [and]

a mobile agent residing on a node of the network, where the mobile agent is able to function as an application layer gateway; and

a route device residing on one node of the network, the route device configured to divert to the mobile agent traffic relevant to the mobile agent.

16. (Amended) The [method] network of claim [10] 9 where the agent may automatically uninstall itself.

17. (Amended) A method for providing functionality on a network, the network comprising nodes, the method comprising:

moving an agent [moving] from a first device to a target device; [and]

re-routing a relevant data stream from a source to the target device; and

at the target device, the agent accepting [a] the data stream from [a] the source, performing a function on the data stream, and passing the data stream to one of a set of client devices.

21. (Amended) A set of instructions residing in a storage medium, said set of instructions capable of being executed by a processor to implement a method for providing functionality on a network, the method comprising:

moving an agent [moving] from a first device to a target device; [and]

re-routing relevant traffic to the target device; and

[the agent] performing application layer gateway functionality at the target device by the agent.